

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK ADAMS

v.

DR. ROBERT MARSH, *et al.*

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CIVIL ACTION

NO. 19-5795

ORDER

AND NOW, this 6th day of August 2020, upon consideration of the Petition for Writ of Habeas Corpus, the Commonwealth's Response thereto, the other documents filed by the parties, and after review of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**;
2. The Petition for a Writ of Habeas Corpus is **DISMISSED**, without prejudice;
3. Upon completion of his pending PCRA proceedings, Petitioner should promptly file for habeas relief; and
4. Petitioner has neither shown denial of a federal constitutional right, nor established that reasonable jurists would disagree with this court's procedural disposition of his claims. Consequently, a certificate of appealability is **DENIED**.

IT IS SO ORDERED.

BY THE COURT:

/s/ CHAD F. KENNEY

CHAD F. KENNEY, J.